

EXHIBIT G

From: Larkin, Arthur (Law) <alarkin@law.nyc.gov>
Sent: Friday, March 14, 2014 12:42 PM
To: Vasudah Talla
Cc: Joyce, Kimberly (Law); Nunez Plaintiffs' Counsel
Subject: RE: Nunez v. City of New York - correspondence

We oppose adjourning this deposition -- which you sought to confirm on March 5th, and thereafter, despite knowing that there were purported documents outstanding. Ms. Masters' e-mails will be produced sufficiently in advance of the deposition to allow for appropriate preparation.

Arthur G. Larkin, Esq.
Senior Counsel
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From: Vasudha Talla [mailto:vtalla@ecbalaw.com]
Sent: Friday, March 14, 2014 12:31 PM
To: Larkin, Arthur (Law)
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nunez Plaintiffs' Counsel (NunezPlaintiffsCounsel@ropesgray.com); Nguyen, Diep (Law)
Subject: RE: Nunez v. City of New York - correspondence

Dear Arthur,

The date of April 1st for the Masters deposition is not feasible since it appears that there is a body of documents responsive to our Third Set of Document Requests ("Document Requests") that has not yet been produced. To summarize our email exchange regarding the BOC materials, it appears:

1. The BOC is looking for documents responsive to our Document Requests that are referenced in the various BOC meeting minutes that we sent to you. We don't yet have a date by which these materials will be produced.
2. You've told us that some responsive documents are attached to emails of four custodians (Masters, Cathy Potler, Richard Wolfe, Felix Martinez), who we've learned about for the first time on Wednesday. It's unclear who these custodians are, what their emails may contain, how many emails there are, and the schedule for production of relevant emails.
3. You've told us that you'll be producing the emails of Ms. Masters well in advance of April 1st. Since we are already less than three weeks away from April 1st, it's unclear how much closer to the deposition you'll be producing her emails. It's also unclear whether Ms. Masters' emails are going to contain the majority of the outstanding documents and how many emails you've found and expect to produce.

We cannot responsibly proceed with Ms. Masters' deposition on April 1st given the outstanding BOC documents, and now what appears to be some amount of outstanding responsive ESI. We would be available to take the deposition on April 15th or 16th if the outstanding documents are produced two weeks in advance of that date.

Thanks, Vasudha

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From: Larkin, Arthur (Law) [<mailto:alarkin@law.nyc.gov>]
Sent: Thursday, March 13, 2014 5:46 PM
To: Vasudha Talla
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel (NunezPlaintiffsCounsel@ropesgray.com)
Subject: RE: Nunez v. City of New York - correspondence

We will produce Amanda Masters for deposition on the noticed date of April 1st, at LAS, 199 Water St. Kim Joyce and I will be there from our office.

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From: Vasudha Talla [<mailto:vtalla@ecbalaw.com>]
Sent: Thursday, March 13, 2014 4:55 PM
To: Larkin, Arthur (Law)
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel (NunezPlaintiffsCounsel@ropesgray.com)
Subject: RE: Nunez v. City of New York - correspondence

Dear Arthur,

Some proposed dates for the Masters deposition are April 24 and April 25, April 28-30. We propose those dates based on our assessment of the BOC material we've received to date and what we believe remains to be produced.

Thanks, Vasudha

From: Larkin, Arthur (Law) [<mailto:alarkin@law.nyc.gov>]

Sent: Thursday, March 13, 2014 4:17 PM

To: Vasudha Talla

Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel
(NunezPlaintiffsCounsel@ropesgray.com)

Subject: RE: Nunez v. City of New York - correspondence

To clarify my prior message: If you meant to say "unavailable" then propose some alternative dates. I'm not available on April 1st. I will be available on March 31st for Dr. Venters' deposition if you want to stick to that date, but it's subject to confirmation with the witness.

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From: Vasudha Talla [<mailto:vtalla@ecbalaw.com>]

Sent: Thursday, March 13, 2014 3:29 PM

To: Larkin, Arthur (Law)

Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel
(NunezPlaintiffsCounsel@ropesgray.com)

Subject: RE: Nunez v. City of New York - correspondence

Dear Arthur,

The footnotes in the attached Third Set of Discovery Demands contain the specific dates of the BOC Meeting minutes, along with page numbers within those minutes, that reference potentially-responsive material. I paste below, as an example, footnote 3 of the document requests:

See Minutes of January 11, 2010 BOC Meeting (“The Board should obtain from DOC information on violence trends, and DOC’s methods for tracking, analyzing, and addressing them.”); Minutes of March 8, 2010 BOC Meeting, 5 (“updated statistical information about jail violence provided by Mr. Wolf in February 18th report prepared and distributed to Members”); Minutes of November 8, 2010 BOC Meeting, 6 ([Chair Simmons] asked Mr. Wolf to report on violence indicators); *id.* (Ms. Abate reiterated that there had been underreporting, and that it will be useful to know how DOC now reports on violence. Commissioner Schriro offered to meet with a BOC work group to discuss the Department’s planned changes to violence reporting.); Minutes of January 8, 2009 BOC Meeting (BOC’s part-time Director of Information Services, Jim Bennett); Minutes of January 8, 2009 BOC Meeting (“Commissioner Horn presented a report, as follows... In 2008, there was an increase to 1929 uses of force.”); Minutes of November 8, 2010 BOC Meeting, 5 (“Commissioner Schriro next reported on violence issues... it is clear that there are ‘hot spots’”); Minutes of January 11, 2010 BOC Meeting, 2 (the National Institute of Correction is providing resources for two projects including a peer-review evaluation of individuals jails and to function as “train-the-trainers”); Minutes of November 14, 2011, BOC Meeting, 4 (“Ms. Abate said it would be useful for DOC to present data each month on trends in uses of force. Commissioner Schriro said DOC also is finalizing a quarterly report” that she will send to BOC).

These footnotes reflect our review of the BOC Meeting minutes and the topics of potentially responsive documents.

You’ve noted that producing ESI (including emails of Ms. Masters, Cathy Potler, Richard Wolfe, and Felix Martinez) may satisfy some of these document requests, because the emails may contain responsive documents as attachments. We learned of these four custodians for the first time yesterday. While we have no objection to the production of ESI and the emails of the four custodians you’ve identified to satisfy the Third Set of Document Demands, if responsive documents exist apart from attachments to emails, we would still expect the production of those responsive

documents. The schedule of the email production of these four custodians, and the scope of relevant ESI for these four custodians, can be discussed on the next ESI call with Ropes & Gray.

In the meantime, we're unavailable to take Ms. Masters' deposition on March 31st. Given the BOC Meeting minutes we've sent earlier today, please let us know whether this can expedite the production of the responsive BOC documents.

Thanks, Vasudha

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From: Larkin, Arthur (Law) [<mailto:alarkin@law.nyc.gov>]
Sent: Thursday, March 13, 2014 11:57 AM
To: 'Friedberg, Anna'; Vasudha Talla
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel
Subject: RE: Nunez v. City of New York - correspondence

I cannot save this file although I spent 20 minutes trying to do so.

In any event, you need to identify for us the specific BOC minutes, by date, that refer to the documents you want us to produce. If the minutes describe the documents, I can send them to my client with a request to look for the specific materials described in the minutes. Since you seem to know exactly what you want to review, this task should not be difficult.

If your side doesn't want to take this simple step now, then we will do the following, which is the least burdensome approach for us: (1) we will produce the E-discovery according to whatever schedule is agreed upon (since we believe based on our discussions with the client that documents responsive to your requests should be attached to one or more E-mails, if they were not included in the paper production); and (2) after E-discovery, if you still believe that responsive documents were not produced, you will have to take the same steps as those described above in order to enable us to search for any documents you claim are missing.

Once again, if you have minutes that identify documents that you believe were not produced, the quickest way to get the documents is to send us the specific meeting minutes that refer to the document(s). I am more than willing to send the minutes over to BOC to ask if they know where to find specific documents that are described or referred to in meeting minutes.

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From: Friedberg, Anna [<mailto:Anna.Friedberg@ropesgray.com>]
Sent: Thursday, March 13, 2014 10:53 AM
To: Larkin, Arthur (Law); Vasudah Talla
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel
Subject: RE: Nunez v. City of New York - correspondence

Arthur,

I will be sending an email, under separate cover, through our secure file transfer system with the BOC minutes. I attempted to send the files to you (as you can see below) but they were returned as undeliverable because the files size was too large.

Thanks,
Anna

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From: Friedberg, Anna
Sent: Thursday, March 13, 2014 9:34 AM
To: Larkin, Arthur (Law); Vasudah Talla
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel
Subject: RE: Nunez v. City of New York - correspondence

Arthur,

Attached is a zip file with the BOC minutes that are referenced in our document requests. They are also publically available on the BOC website.

Thanks,
Anna

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From: Larkin, Arthur (Law) [<mailto:alarkin@law.nyc.gov>]
Sent: Wednesday, March 12, 2014 1:20 PM
To: Vasudah Talla
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel
Subject: RE: Nunez v. City of New York - correspondence

Send me the primary documents that refer to what you are looking for, if you have them. If you have BOC minutes, send them along. If you don't want to send them to us, we'll have to track them down which will take more time -- up to you how you want to handle this.

Your letter also refers to "DOC materials that reference relevant BOC materials" -- what DOC materials are you talking about?

I'm trying to help but you are not making the process easier -- I can't tell what specific documents you claim are missing just from your letter. If you send me the minutes, I will pass them along to the client with specific reference to the pages, etc., which will illustrate for them exactly what we are looking for.

My understanding is that many of the documents you requested are likely to be included as attachments to E-mails which will be forthcoming in E-discovery. If you want certain specific documents now, ahead of time, then I suggest you send me the primary document that refers to what you say is missing, and that will allow us to track it down a lot faster. Maybe the client can extract the relevant report from an old E-mail, rather than waiting for our staff to complete the E-discovery review.

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From: Vasudha Talla [<mailto:vtalla@ecbalaw.com>]
Sent: Wednesday, March 12, 2014 12:58 PM
To: Larkin, Arthur (Law)
Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel (NunezPlaintiffsCounsel@ropesgray.com)
Subject: RE: Nunez v. City of New York - correspondence

Dear Arthur,

Attached is the Third Set of Discovery Demands, served on September 19, 2013, which contains in footnotes the references to the specific BOC materials, including the dates of BOC meetings and quotations from the BOC meeting minutes, that we are referencing our letter and seeking in our discovery demands. These footnotes contain sufficient information for the City to locate the BOC

meeting minutes, as well sufficient information about the potentially responsive information and documents referenced in those meeting minutes.

We also reference in our letter a September 2013 report that BOC received from two psychiatrists regarding the City's compliance with several sections of the Mental Health Minimum Standards, as well as responses to the report by the Mayor's office.

Is your position that the attached materials are too vague for the City to review and determine whether it has responsive documents?

Thanks, Vasudha

From: Larkin, Arthur (Law) [<mailto:alarkin@law.nyc.gov>]

Sent: Wednesday, March 12, 2014 12:09 PM

To: Vasudha Talla

Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel (NunezPlaintiffsCounsel@ropesgray.com)

Subject: RE: Nunez v. City of New York - correspondence

I write this message in reply to Part I-C of your letter concerning Board of Correction documents.

The 2009 report that you reference is outside the time frame within which we agreed to produce documents. Our responses and objections to your discovery demand (dated Sept. 19, 2013) limited our production to documents created on or after Jan. 1, 2010. I do not recall your side ever raising that objection with the court.

Otherwise, your letter is too vague to allow us to locate the materials to which you are referring. Are the documents you seek referenced in BOC meeting minutes? Or are they referenced in other documents? If so, please forward the minutes and/or the other documents so we can see what reports you are describing. I cannot tell from your letter whether any of these reports concern the use of force inside the jails. If you are able to identify these documents that you claim are responsive, by reference to other specific documents that describe or identify them, we will be in a better position to locate and review them.

Your letter asserts that there remain outstanding documents that, you say, are responsive to Requests ## 1, and 3-8, but absent any specific descriptions of what documents you are referring to, I'm not in a position to help locate them.

I would add that some portion of the E-discovery concerns BOC communications. The relevant custodians whom we have identified are Ms. Masters, Cathy Potler, Richard Wolfe and Felix Martinez. We are not going to hold up the BOC deposition until the E-mails are reviewed and produced, however, for reasons that we have stated previously.

Finally we need to know whether you are available to depose Ms. Masters on March 31st (assuming she is the BOC witness whom you wish to depose) as I suggested earlier this week.

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From: Vasudha Talla [<mailto:vtalla@ecbalaw.com>]

Sent: Tuesday, February 25, 2014 2:25 PM

To: Larkin, Arthur (Law)

Cc: Joyce, Kimberly (Law); Ortiz, Julie (Law); Nguyen, Diep (Law); Nunez Plaintiffs' Counsel
(NunezPlaintiffsCounsel@ropesgray.com)

Subject: Nunez v. City of New York - correspondence

Dear Arthur,

Attached is correspondence that we are sending to you by Federal Express today regarding outstanding document production requests. If you'd like to set up a time to speak by phone regarding these issues, please let us know.

Thanks, Vasudha

Vasudha Talla

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